

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE

SOUTHERN DISTRICT OF GEORGIA
Augusta Division

IN RE:)	Chapter 13 Case
)	Number <u>12-10915</u>
PAMELA T. HUGHES)	
)	
Debtor)	
_____)	

OPINION AND ORDER

Pursuant to notice and a hearing, the claim of Cardiovascular Associates (Claim No. 3) is stricken. In accordance with Bankruptcy Rule 5005(a)(2) this court established practices and procedures requiring all documents be filed electronically unless a waiver is granted.

Unless otherwise expressly provided . . . all petitions, motions, memoranda of law, claims, or other pleadings and documents shall be filed electronically using the Electronic Case Files (ECF) system, or shall be scanned and uploaded, unless otherwise required or permitted by the Court.

ECF Local Rule 1, effective October 1, 2010,
http://www.gasb.uscourts.gov/pdf/MandatoryAdministrativeProcedures_October2010.pdf; see also Fed. R. Bankr. P. 9029.

This electronic filing requirement applies to all

entities filing proofs of claim in the Southern District of Georgia. See id. § II.A.1.g. ("If such entities file paper claims without a judicial waiver, the court will consider striking the documents.") Moreover, specially as to proofs of claim, "Entities that file fifteen (15) or more proofs of claim during any 12 month period must file the claims electronically. . . ." Id. at § II.A.1.g.

Notwithstanding the provisions of ECF Local Rule 1 and the Administrative Procedures, Cardiovascular Associates conventionally filed proof of claim without first seeking permission of the Court. Accordingly, the Clerk's office on June 6, 2012, issued an Order to Show Cause why sanctions should not be imposed by the court for failure to comply with the electronic filing requirements or, request leave to be allowed to file conventionally.

Cardiovascular Associates did not respond to the notice. A hearing was set for Cardiovascular Associates to show cause why it should be permitted to file conventionally. After notice, Cardiovascular Associates failed to appear at the July 16, 2012 hearing.

Cardiovascular Associates thus having failed to comply with the mandatory electronic filing procedures of the Bankruptcy

Court and having failed to appear at the show cause hearing, the proof of claim of Cardiovascular Associates is ORDERED STRICKEN.



SUSAN D. BARRETT
CHIEF UNITED STATES BANKRUPTCY JUDGE

Dated at Augusta, Georgia

this 24th Day of August 2012.